

U.S. DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN

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MIMI'S SWEET SHOP, INC.,

Plaintiff,

v

Case No. 1:18-CV-337-JTN-ESC  
Hon. Janet T. Neff

CHARTER TOWNSHIP OF LANSING  
DOWNTOWN DEVELOPMENT  
AUTHORITY; STEVEN L. HAYWARD;  
MICHAEL G. EYDE; EASTWOOD, LLC;  
TOWNEAST, LLC; and TOWNEAST  
PARKING, LLC,

Defendants.

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**STIPULATION AND ORDER TO EXTEND  
DEADLINE FOR RESPONSIVE PLEADINGS**

IT IS HEREBY STIPULATED AND AGREED between Plaintiff, Mimi's Sweet Shop, Inc. ("Plaintiff") and Defendants, Charter Township of Lansing Downtown Development Authority; Towneast, LLC; Towneast Parking, LLC; Steven M. Hayward;

Eastwood, LLC; and Michael G. Eyde (collectively “Defendants”), by and through their preliminary counsel identified below, as follows:

1. On March 26, 2018, Plaintiff filed suit against Defendants alleging various state and federal cause of actions.

2. An Amended Complaint and Jury Demand (PageID.26) was served on Defendants, Charter Township of Lansing Downtown Development Authority; Towneast, LLC; and Towneast Parking, LLC on April 4, 2018. Accordingly, the due date for filing responsive pleadings and/or dispositive motions is April 25, 2018.

3. An Amended Complaint and Jury Demand was served on Defendants, Eastwood, LLC and Michael G. Eyde on April 9, 2018. Accordingly, the due date for these Defendants to file responsive pleadings and/or dispositive motions is April 30, 2018.

4. Defendant, Steven Hayward has not yet been served with the Amended Complaint.

5. The Defendants are in the process of retaining counsel as well as determining whether any insurance coverage exists for the claims set forth in the Amended Complaint.

6. In the event insurance coverage exists for any, or some, of the Defendants the insurer will likely desire to retain their own counsel on behalf of the insured defendant.

7. Fed. R. Civ. P. Rule 6(b)(1)(2) provides that this Court may, for good cause shown, extend the time for an act to be done if a party makes such request before the original time expires. Good cause exists for the extension of the deadline for Defendants to file responsive pleadings and/or dispositive motions based on the following:

a. Defendants are in the process of determining whether insurance coverage exists for some, or all, of the Defendants, which may affect the counsel retained for an insured;


b. Defendants' counsels are also actively investigating Plaintiff's claims; however, the complexity of the legal issues and the extent of the allegations involved (i.e., 24 pages with 116 separately numbered paragraphs) warrants further investigation and evaluation by Defendants' current counsel, any newly retained counsel and/or insurance defense counsel into available defenses and the formulation of an appropriate response to the Amended Complaint;


c. Plaintiff has consented to a thirty (30) day extension of time for Defendants to file responsive pleadings and/or dispositive motions and will not be prejudiced by the extension; and

d. This is the parties' first request for an extension of time in this Court and providing this extension will not impact any other dates in this case, given that the Court has not yet entered a scheduling order.

WHEREFORE, it is respectfully requested that this Honorable Court accept the stipulation of the parties and allow Defendants until May 23, 2018 to the file any responsive pleadings and/or dispositive motions to Plaintiff's Amended Complaint.

Stipulated as to form and content:

  
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Dated: April 23, 2018

  
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Dated: April 23, 2018

*Roy Henley / mfa / with permission*

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On behalf of Lansing Township

Downtown Development Authority

2900 West Road

Suite 400

East Lansing, MI 48823

(517) 484-8000

Dated: April 23, 2018

IT IS SO ORDERED

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Honorable Janet T. Neff  
United States District Court Judge

Dated: April \_\_, 2018